

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 23-cr-80055-Cannon/Reinhart

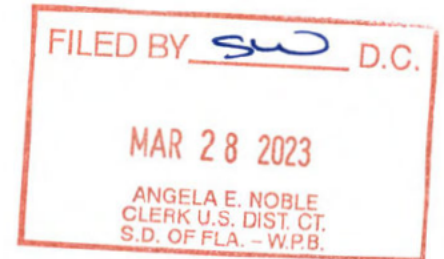
8 U.S.C. § 1324(a)(2)(B)(ii)

8 U.S.C. § 1326(a) & (b)(2)

8 U.S.C. § 1327

18 U.S.C. § 982(a)(6)

18 U.S.C. § 981(a)(1)(C)



UNITED STATES OF AMERICA,

vs.

JORGE GUERRA-LOPEZ and
RAFAEL CASIMIRO PEGUERO-SOTO,

Defendants.

INDICTMENT

The Grand Jury charges that:

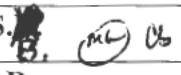
COUNTS 1 THROUGH 14

On or about March 17, 2023, in Palm Beach County, in the Southern District of Florida,
the defendant,

JORGE GUERRA-LOPEZ,

did knowingly bring, and attempt to bring, to the United States an alien by any manner whatsoever,
as set forth in Counts 1 through 14 below, knowing and in reckless disregard of the fact that such
alien had not received prior official authorization to come to, enter, and reside in the United States,
and regardless of any official action which may later be taken with respect to such alien, for the
purpose of commercial advantage and private financial gain:

<u>Count</u>	<u>Alien</u>
1	E.A.M.
2	K.J.C.

<u>Count</u>	<u>Alien</u>
3	M.S.B.
4	L.A.R.M.
5	B.J.P.
6	R.C.P.S.
7	J.A.S. 
8	D.G.D.
9	S.Y.
10	X.X.
11	H.Y.
12	X.M.
13	D.Z.
14	Y.L.

In violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii) and Title 18, United States Code, Section 2.

COUNT 15

On or about March 17, 2023, in Palm Beach County, in the Southern District of Florida, the defendant,

RAFAEL CASIMIRO PEGUERO-SOTO,

an alien, having previously been removed from the United States on or about December 21, 2021, did enter, and attempt to enter, the United States, knowingly and unlawfully, without the Attorney General of the United States or his/her successor, the Secretary of Homeland Security (Title 6, United States Code, Sections 202(3), 202(4), and 557) having expressly consented to such alien reapplying for admission to the United States, in violation of Title 8, United States Code, Sections

1326(a) and (b)(2).

COUNT 16

On or about March 17, 2023, in Palm Beach County, in the Southern District of Florida,
the defendant,

JORGE GUERRA-LOPEZ,

did knowingly aid and assist an alien, namely, **RAFAEL CASIMIRO PEGUERO-SOTO**, to enter the United States, said alien being inadmissible under Title 8, United States Code, Section 1182(a)(2), as an alien who had been convicted of an aggravated felony.

In violation of Title 8, United States Code, Section 1327 and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATIONS

1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendants, **JORGE GUERRA-LOPEZ and RAFAEL CASIMIRO PEGUERO-SOTO** have an interest.

2. Upon conviction of a violation of Title 8, United States Code, Section 1324, as alleged in this Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(6):

- a. any conveyance, including any vessel, vehicle, or aircraft, used in the commission of such offense;
- b. any property, real or personal, that constitutes, or is derived from, or is traceable to any proceeds obtained, directly or indirectly, from the commission of such offense;

and

- c. any property, real or personal, that was used to facilitate, or intended to be used to facilitate, the commission of such offense.

3. Upon conviction of a violation of Title 8, United States Code, Section 1327, as alleged in this Indictment, the defendant(s) shall forfeit to the United States any proceeds, real or personal, which constitutes or is derived from proceeds traceable to such offense, pursuant to Title 18, United States Code, Section 981(a)(1)(C).

All pursuant to Title 18, United States Code, Sections 982(a)(6) and 981(a)(1)(C) and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

A TRUE BILL

FOREPERSON

Alexandra Chase for
MARKENZY LAPOINTE
UNITED STATES ATTORNEY


SHANNON SHAW
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO.: 23-cr-80055-Cannon/Reinhart

v.

JORGE GUERRA-LOPEZ and
RAFAEL CASIMIRO PEGUERO-SOTO,

Defendants.

Court Division (select one)

☐ Miami ☐ Key West ☐ FTP
☐ FTL ☒ WPB

CERTIFICATE OF TRIAL ATTORNEY

Superseding Case Information:

New Defendant(s) (Yes or No) _____

Number of New Defendants _____

Total number of counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) Yes
List language and/or dialect: Spanish
4. This case will take 3 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)	(Check only one)
I <input checked="" type="checkbox"/> 0 to 5 days	<input type="checkbox"/> Petty
II <input type="checkbox"/> 6 to 10 days	<input type="checkbox"/> Minor
III <input type="checkbox"/> 11 to 20 days	<input type="checkbox"/> Misdemeanor
IV <input type="checkbox"/> 21 to 60 days	<input checked="" type="checkbox"/> Felony
V <input type="checkbox"/> 61 days and over	
6. Has this case been previously filed in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
7. Has a complaint been filed in this matter? (Yes or No) Yes
If yes, Magistrate Case No. 23-mj-8153-BER
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
9. Defendant(s) in federal custody as of 03/19/2023
10. Defendant(s) in state custody as of _____
11. Rule 20 from the _____ District of _____
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shanick Maynard? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss? (Yes or No) No
15. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No

By: _____

SHANNON SHAW

Assistant United States Attorney

FL Bar No. 92806

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Jorge Guerra-Lopez

Case No: 23-cr-80055-Cannon/Reinhart

Count #s: 1-14

Title 8, United States Code, Section 1324(a)(2)(B)(ii) and Title 18, United States Code, Section 2

Alien Smuggling for Profit

- * **Max. Term of Imprisonment:** 10 years for first and second violation, 15 years for any other violations
- * **Mandatory Min. Term of Imprisonment (if applicable):** 3 years for first and second violation, 5 years for any other violations
- * **Max. Supervised Release:** 3 Years
- * **Max. Fine:** \$250,000
- * **Special Assessment:** \$100.00
- * **Immigration Consequences of Removal (Deportation) from United States if Convicted**

Count #: 16

Title 8, United States Code, Section 1327

Aiding or Assisting a Previously Removed Aggravated Felon to Enter the United States

- * **Max. Term of Imprisonment:** 10 Years
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** 3 Years
- * **Max. Fine:** \$250,000
- * **Special Assessment:** \$100.00
- * **Immigration Consequences of Removal (Deportation) from United States if Convicted**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Rafael Casimiro Peguero-Soto

Case No: 23-cr-80055-Cannon/Reinhart

Count #: 15

Title 8, United States Code, Sections 1326(a)(2) and 1326(b)(2)

Reentry after Deportation after a prior removal for an aggravated felony.

* Max. Term of Imprisonment: 20 Years

* Mandatory Min. Term of Imprisonment (if applicable): N/A

* Max. Supervised Release: 3 Years

* Max. Fine: \$2500,000

* Special Assessment: \$100.00

* Immigration Consequences of Removal (Deportation) from United States if Convicted

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.